SHRIMATI AMBIKA SONI: Sir, while I agree with the hon. Member in some parts of her question or her statement, I did not agree exactly with Mr. Naik's description of responsibility being shared, which, on the one hand, has to be shared. I do not want to go into the details of this particular case because it is now under investigation, and there may or may not be an inquiry. So, I do not feel that it would be correct and proper for me to discuss various details of how a minor person is left behind or what they are doing at 1 o'clock or 4 o'clock at night, neither I am trying to victimise the girl. I do not think that the hon. Member had that intention either. It is not a fair comment. But, having said that, I would inform the hon. Member that I am regularly in touch not only with the Home Ministry, I personally call the Chief Ministers when incidents of this gravity happen in their respective States. I do believe that there is a greater sensitivity in all State Governments across the board. On * issues when women have been exploited, within Short time, culprits have been picked up. They have been arrested, and they have been chargesheeted. People do want the culprits to be caught. They have been caught. There is a very strong debate regarding some of the . punishments which are given for rape and other exploitations...*(Interruptions)*... people have responded very strongly to catching these culprits and there has been a demand that we want to have stronger punishments. There was recently a case where people, who had misbehaved very badly which was of concern and shame to all of us, were arrested and then they were released. There was a demand that the punishment should be made more stringent. Now, that is also for all the hon. Members to consider as to how we can make laws more stringent so that those who commit rape, the punishment should be such that it should be not be committed again. So, that is a larger question. We are looking at cases which are happening and to the extent, the Tourism Ministry can be expected to respond to law and order and security questions, I am trying to tell you what we can do within our limited powers and restrictions. I do not have powers on safety and security aspects.

Illegal constructions near Humayun Tomb

♦162. SHRIMATI HEMA MALINI: Will the Minister of CULTURE be pleased to state:

(a) whether it is a fact that some illegal constructions have come up through nexus between Archaeological Survey of India (ASI) officials and local police near Humayun Tomb, Delhi;

(b) if so, whether government is considering to apply some preventive measures; *

(c) whether Government has been able to unearth the nexus between officials of ASI and the local police; and

(d) if so, the details of the steps, Government proposes to take against those erring officials? ,

THE MINISTER OF CULTURE (SHRIMATI AMBIKA SONI): (a) to (d) A Statement is laid on the table of the House.

Statement

(a) to (d) No such report of nexus between ASI officials and local police has been received. As and when illegal/unauthorized construction is noticed or reported in the prohibited/regulated area, the Superintending Archaeologist issues notice to the offenders under Rule 38(i) of the Ancient Monuments, Archaeological Sites and Remains Rules, 1959 for removal of unauthorized constructions. Simultaneously help from the local police as

well as from local administration is sought by lodging a complaint and by registering an FIR, followed by an order to the District Collector/Magistrate from Director General, Archaeological Survey of India to remove such illegal/unauthorized construction under Rule 38 of the AMASR Rules, 1959. If the above procedure fails to yield any fruitful results and the State Government also fails in removing the unauthorized/illegal constructions, legal action is taken by filing cases in the Law courts.

SHRIMATI HEM A MALINI: Sir, I would like to know from the hon. Minister whether the Government have a competent team of research scholars who can guide the proper and aesthetic restoration of our monuments. We have seen in some parts of our historical sites that restoration has been done in a very ugly manner in spite of the ASI being there. The case in point is that of the world famous Ajanta Caves. Recently, construction of a cement portico in front of the Cave was somehow permitted. But, fortunately, it was stopped due to protest from conservationists. Do all the historical monuments, small or big, come under the ASI jurisdiction? Many smaller monuments are in an extremely dilapidated condition around the country. What is the yardstick the ASI adopts to select and preserve the monuments? What are the powers given to the ASI to prevent vandalism? Does the ASI collaborate with UNESCO's World Heritage Foundation?

SHRIMATI AMBIKA SONI: Sir, this question is so different. I am so sorry, while I could answer the hon. Member, but her question specifically deals with illegal constructions near Humayun Tomb. And, if I have to answer on Maharashtra's Ajanta-Ellora Caves or on the UNESCO or another issue, either you would have to frame your question differently. But, I can try and answer the hon. Member to the extent I have knowledge of the whole subject.

She talked of our restoration work in Ajanta-Ellora Caves. That has been done according to specifications certified by experts who come in from UNESCO and monitor all restoration work on World Heritage Sites. And, there have been photographs taken without flashlights which are not allowed inside the two Caves. I would recommend to the hon. Member, whenever she has time to visit some of these exhibitions and a collection which we have access to, she could see for herself the restoration work in these two caves which is quite praiseworty.

As far as monuments are concerned, the ASI has 3,776 monuments of national importance under their care. Annually a plan is made for restoration work and allocation of funds for the work to be done at these monuments. There are about 3,500 monuments which are under the care of the State Governments. Altogether we look at about 7,000 monuments divided between the ASI and the State Governments. Work is done according to the surveys and the monitoring takes place at regular intervals. We have students preparing in our institutes to undertake work of archaeological restoration and conservation. I am very happy to inform the House that we did with great worldwide acclaim the restoration work of the entire Angkor-Vat Temple in Cambodia. So much so that thereafter we have been accessed by the Governments of Indonesia, Cambodia and Singapore to do restoration work in their countries as well. If there are any other questions outside the Humayun Tomb, then....

MR. CHAIRMAN: Please be specific to the main question.

SHRIMATI HEMA MALINI: Sir, does the Government have an agenda to create awareness and instil pride in the people, especially those living in close proximity in these irreplaceable structures?

SHRIMATI AMBIKA SONI: Sir, it is very unfortunate that over the years, due to developmental processes, our monuments in many places have been encroached upon.

The ASI with its limited staff and our Superintending Archaeologists in different States, as soon as they get to know that there is an encroachment or a building is higher and blocks and view of the monument, because we follow the law and rules of 1958 and then the rules of 1959, we do send a notice to those who are violating building laws. When they don't listen, we file a complaint with the District Collector and ask him to use the police or security forces to get that vacated. And, failing all this, we also file cases. I have a list, which I can provide to the hon. Member later, of all the cases we have filed over the years; the cases where we have achieved some measure of success and the cases where we are still trying to get these places vacated.

But I would like to mention here that some of our rules are found today to be a little bit irational. We are looking at the 1959 Act which lays down the rules and the 1992 Act, and trying to look at the modern demands of development and also preservation and conservation of archaeological heritage. We are trying to rationalize these laws. I have put in place a Committee of five eminent experts who look into this field besides the ASI.

श्रीमती विप्लव ठाकुर : सभापति महोदय, मैं माननीय मंत्री जी से जानना चाहती हूं कि जो हुमायुं के मकबरे के सामने irregular constructionहुई है, उसको हटाने के लिए क्या स्टेप्स उठाए गए हैं? मंत्री जी ने सारा प्रोसीजर बताया है । क्या उसमें ये कामयाब हुई है? अगर नहीं हुई तो क्या कोर्ट में केस फाइल किया है? अगर किया गया है तो कब केस फाइल किया गया और उसके लेटेस्ट पोजिशन क्या है?

श्रीमती अम्बिका सोनी : सर, हुमायुं के मकबरे के दर्द –गिर्द बहुत से नोटिस दिए गए हैं मेरे पास तमाम लोगों के नाम हैं, जिनको नोटिस दिए गए हैं । उनकी फाइल नम्बर भी मौजूद है । जिस monument के पास उन्होंने illegal construction किया है, उसकी लिस्ट है । कौन prohibited area में आता है,जो 100 फुट की दूरी पर होता है,कौन 200 फुट की दूरी पर आता है,जो regulated area होता है,वह सब लिस्ट है। इसी प्रकार जो दूर रहते हैं, regulated area में रहते हैं, जिनकी इमारत 15 मीटर सें ऊंची नहीं होती है, उनको हमने एनओसी दिया है । मेरे पास यह तमाम लिस्ट है । अगर मैं पढ़ने लगूंगी तो बहुत समय बर्बाद होगा इसलिए यह लिस्ट मैं आपको प्रश्नकाल के तुरंत बाद दे दूंगी ।

श्रीमती विप्लव ठाकुर : सर, मैंने यह पूछा कि इसके बारे में क्या स्टेप्स लिए गए ? क्या कोर्ट में केस फाइल किया गया है? इसका जवाब नहीं दिया है।

श्रीमती अम्बिका सोनी : सर, जैसा मैंने कहा कि कई के संबंध में केस फाइल किए गए है । कई प्रोसीजर्स हैं । इन violations को अलग – अलग लेवल पर ट्रीट किया गया है । जैसा मैंने कहा कि कुछ को अलाऊ कर दिया गया है क्योकि उनका ब्लॉक नहीं करता है । 15 केस फाइल किए गए हैं । कुछ मूद्दों के संबंध में अभी रिपोर्ट डिस्ट्रिक्ट कलेक्टर के पास है । हमारे superintending archaeologist लगातार इसका निरीक्षण करते रहते हैं कि कहां इसमें मामला सुलझाया जाए ।

श्री राम नारायण साहू : सभापति महोदय, मैं आपके माध्यम से मंत्री जी से जानना चाहता हूं कि बनारस, अयोध्या तथा मथुरा के मंदिर और लखनऊ में बड़ा इमामबाड़ा, छोटा इमामबाड़ा, रेजीडेंसी और रूमी गेट –इनका रख-रखाव सही ढंग से नहीं हो रहा है । जिस तरीके से होना चाहिए ....(**व्यवधान**)....

श्री सभापति : सवाल हुमायूं के मकबरे का है ।

श्री राम नारायण साहू : सर, यह प्रश्न उन्हीं के मंत्रालय से संबंधित है । हुमायुं के मकबरे की बात नहीं है लेकिन उन्हीं के मत्रांलय की बात है इसलिए मैं यह प्रश्न पूछ रहा हूं । सर, लखनऊ के अंदर चूंकि मैं रहता हूं , मैं वहां पर देखा करता हूं कि वहां 365 दिन का काम चला करता है लेकिन फिर भी वहीं हिसाब-किताब है कि काम तो हमेशा चलता रहता है लेकिन कम्पलीट कभी नहीं होता है-365 दिन वहां काम होता है ।

श्री सभापति : आप सवाल पूछ लें

श्री राम नारायण साहू : सर,ऐसा होता है कि जो काम करने वाले हैं और जो काम लेने वाले हैं, उनका आपस में तालमेल होता है । वे लोग उनसे कहते हैं कि "लगे रहो मुन्ना भाई।" इस प्रकार 365 दिन वहां काम चलता रहता है, सालों से चलता रहता है लेकिन आज तक कम्पलीट नहीं हुआ । आप इस संबंध में सर्वे करवा सकते हैं ।

श्री सभापति : आप मंत्री जी से सवाल पूछ लें ।

श्री राम नारायण साहू : आपके माध्यम से मेरा उनसे यही सवाल है ।

श्री अम्बिका सोनी : सर,मैं, एक मिनट में जनरल तौर पर जवाब देने का प्रयास करती हूं । यह बात सच है कि बहुत ज्यादा इमारतें, मकबरे और मॉनुमेंट्स हैं, बदकिस्मती से जिनका हिसाब आज तक इस देश में नहीं है । हम लोगों ने पिछले साल एक national mission on antiquities and Monuments गठित किया है । हमें उम्मीद है कि अगले पांच साल, जो इस मिशन के कार्यकाल का समय है , उसे समय में हम स्टेटवाइज यह प्रयास करेंगे कि जो हमारी antiquities and monuments हैं, उनका हम डेटा बैंक तैयार कर सकें । एक छोटी कमेटी मैंने और गठित की है । सदियों से ऐसे मॉन्युमेंट्स, 30-35 जितने भी कहा जाता है, जो development process में गायब हो गए हैं, उनके संबंध में वह कमेटी एक विशेष जांच करेगी कि कहां गायब हुए, क्यों गायब हुए, आगे ऐसे न हो, उनकी impact study कैसे की जाए ।

इस मिशन ने पिछले अक्टूबर से काम कराना शुरू किया है और मुझे उम्मीद है कि हम हर स्टेट में डाटा बैंक तैयार कर सकेंगे । यदि माननीय सदस्य किसी एक खास बिल्डिंग की बात बताना चाहते हैं, तो वह मुझे बतायें । अगर वह बिल्डिंग हमारी देखरेख में नहीं भी होगी, तो भी हम State Archaeological Department से अनुरोध करेंगे कि वह उसकी देखरेख ठीक से करें । लेकिन जहां तक 365 दिन के काम की बात है, मैं कह नही रही हूं हो सकता है कि कुछ बिल्डिंग इतनी ज्यादा ....(**व्यवधान**)....

श्री राम नारायण साहू : मैडम, 365 दिन काम होता है, लेकिन स्थिति वही बनी हुई है ।

श्री सभापति : प्लीज, प्लीज । साहू जी, प्लीज । ....(**व्यवधान**)...

श्री अम्बिका सोनी : आप जिसका जिक्र कर रहे हैं, किसी एक बिल्डिंग का नाम मुझे बात दीजिए । मैं उसकी जांच करवा लूंगी । ...(**व्यवधान**)..

Welcome to Parliamentary Delegation from Slovakia

MR. CHAIRMAN: Honourable Members, I have an announcement to make. We have with us seated in the Special Box, Members of a Parliamentary Delegation from Slovakia, currently on a visit to our country under the distinguished leadership of His Excellency Mr. Pavol Paska, Speaker of the National Council of the Slovak Republic.

On behalf of the Members of the House and on my own behalf, I take pleasure in extending a hearty welcome to the leader and other Members of the delegation and wish our distinguished guests an enjoyable and fruitful stay in our country. We hope that during their stay here, they would be able to see and learn more about our Parliamentary system, our country and our people and that their visit to this country will further strengthen the friendly bonds that exist between India and Slovakia. Through them, we convey our greetings and best wishes to the Parliament and the friendly people of Slovakia.